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DEPARTMENT OF EDUCATION

[Docket No. ED-2013-ICCD-0114]

Agency Information Collection Activities; Comment Request; State Educational Agency, Local Educational Agency, and School Data Collection and Reporting under ESEA, Title I, Part A

AGENCY: Office of Elementary and Secondary Education (OESE), ED.

ACTION: Notice

SUMMARY: In accordance with the Paperwork Reduction of 1995 (44 U.S.C. Chapter 3507(j)), ED is requesting the Office of Management and Budget (OMB) to conduct an emergency review of a revision to an existing information collection.

DATES: Approval by the OMB has been requested by October 1, 2013. A regular clearance process is also hereby being initiated. Interested persons are invited to submit comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting Docket ID number ED-2013-ICCD-0014 or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or e-mail and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue, SW, LBJ, Room 2E115, Washington, D.C. 20202-4537.

FOR FURTHER INFORMATION CONTACT: For questions related to collection activities or burden, please call Tomakie Washington, 202-401-1097 or electronically mail ICDocketMgr@ed.gov. **Please do not send comments here.**

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues as they relate to ESEA flexibility renewal: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: **State Educational Agency, Local Educational Agency, and School Data Collection and Reporting under ESEA, Title I, Part A.**

OMB Control Number: **1810-0581.**

Type of Review: **a revision to an existing information collection.**

Respondents / Affected Public: **State, Local and Tribal Governments.**

Total Estimated Number of Annual Responses: **53,198.**

Total Estimated Number of Annual Burden Hours: **4,707,785.**

Abstract: Title I, Part A (Title I) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001, and its regulations contain several existing provisions that require State educational agencies (SEAs), local educational agencies (LEAs), and schools to collect and disseminate information. The Paperwork Reduction Act (PRA) covers these activities, which are currently approved by OMB under control number 1810-0581 through July 2015. In addition, in 2011, ED invited each SEA to request flexibility on behalf of itself, its LEAs, and schools, in order to better focus on improving student academic achievement and increasing the quality of instruction (ESEA flexibility). The opportunity for SEAs to request ESEA flexibility also included activities covered by the PRA. Those information collection activities consisted of the information an SEA must develop and submit to ED to request this flexibility, information that an SEA provided in an Accountability Addendum, and the information an SEA that receives ESEA flexibility must annually report to ED. Approvals of ESEA flexibility requests have occurred in several iterations: Window 1, for which SEAs submitted requests in November 2011; Window 2, for which SEAs submitted requests in February 2012; Window 3, for which SEAs submitted requests in September 2012; and Window 4, for which SEAs submitted requests in spring 2013. Generally, ED approved the requests of SEAs that requested ESEA flexibility in Windows 1 and 2 through the end of the 2013—2014 school year. ED is now inviting the 35 Window 1 and Window 2 SEAs to request a two-year extension of the waivers granted through ESEA flexibility, through the end of the 2015—2016 school year. An SEA that requests renewal of ESEA flexibility must submit an updated ESEA flexibility request describing how it will continue to meet the requirements of ESEA flexibility. The purpose of this submission is to obtain approval for the resubmission activities covered by the PRA. These activities include an SEA's addressing each of the required items described in the ESEA flexibility renewal guidance, providing narrative responses within its currently approved ESEA flexibility request and attaching any new documentation or evidence where appropriate, and submitting the amended request to ED. In addition, an SEA must submit a completed ESEA flexibility renewal request form indicating where changes have been made in its ESEA flexibility request. The SEA may also choose, but is not required, to amend its request to make changes necessary to improve implementation going forward or to reflect more accurately implementation activities that have already occurred.

Dated: August 29, 2013.

Tomakie Washington, Acting Director,
Information Collection Clearance Division,
Privacy, Information and Records Management Service,
Office of Management.

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